

THE MINISTER OF STATE IN THE DEPARTMENT OF PERSONNEL AND TRAINING AND DEPARTMENT OF PENSIONS AND PENSIONERS' WELFARE OF THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATI VASUNDHARA RAJE): (a) to (d) As on 30th June, 2000, 45,428 cases were pending in the Central Administrative Tribunal. There were 18,483 cases pending for more than two years as on that date, out of which, 326 cases related to transfer matters. The Government does not interfere in the judicial functioning of the Tribunal and all cases are decided by the Tribunal on merit keeping in view the provisions of the Administrative Tribunals Act, 1985 and the rules made thereunder etc.

The information relating to number of pending cases etc. in the State Administrative Tribunals is not Centrally maintained.

#### **Mandatory posting of Empanelled Officers as Joint Secretaries**

2750. SHRI N. K. PREMACHANDRAN: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that in a recently decided case, the Department of Personnel and Training informed the Central Administrative Tribunal, New Delhi that they have taken a decision to give mandatory posting to Central Secretariat Officers as Joint Secretaries if they have been empanelled for three years or more;

(b) if so, how many officers have become eligible for mandatory posting as joint Secretaries during the last two years; and

(c) if they have not been given mandatory posting, the reasons therefor?

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appointed as Joint Secretaries during circulation of their names might be considered for mandatory posting, if they had been empanelled for three years or more or had got two years' service before superannuation. A reference to this decision was made in the reply filed in the Central Administrative Tribunal (CAT) in January, 1996, on behalf of Union of India in O.A. No. 1851/95 filed by late Shri Deen Dayal and others. The decision taken by the Appointments Committee of the Cabinet in April, 1995 referred to above was reviewed and it was decided by the Appointments Committee of the Cabinet in November, 1997 that the CSS officers who are having 2 years to superannuate may be considered for appointment as Joint Secretary by way of mandatory posting either against a regular vacancy in the Ministry where the officer is working or by in-situ promotion by personal upgradation in the same Ministry, provided they are included in the Joint Secretaries' suitability list. In view of this, the decision taken by the Appointments Committee of the Cabinet in April, 1995 for the mandatory posting of CSS officers as Joint Secretaries is no longer in force now.

#### **Supreme Court's judgement regarding promotion of SCST**

2751. SHRI R. N. ARYA: Will the PRIME MINISTER be pleased to state:

(a) whether the Hon'ble Supreme Court has ruled that clubbing of SCST candidates with General Category candidates in the same zone of consideration defeats the very purpose of reservation and there has to be a separate zone of consideration for SCST for the purpose of their promotion;

(b) whether the Supreme Court has also ruled that the above law is binding on all the Government Departments including the Union of India; and

(c) if so, the action taken to get the above directions implemented effectively by all the Ministries/Departments under the Central Government?